

**THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON FEBRUARY 11, 2009, WITH THE FOLLOWING MEMBERS PRESENT: EDWIN H. HUMPHREY, PRESIDENT AND R. SCOTT CROSWELL III, MEMBER. LET THE RECORD SHOW THAT COMMISSIONER PROUD WAS ABSENT THIS DATE. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 1:00 P.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.**

**IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 19-09/PAYMENT OF BILLS...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt Resolution Number **19-09** resolving to approve payment to vendors as set forth in the General Ledger Distribution Report(s) presented by the County Auditor 02/10/09 in the total amount of \$2,597,701.17, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

**IN RE: OFFICE OF ECONOMIC DEVELOPMENT...GRANT AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF DEVELOPMENT FOR FINANCIAL ASSISTANCE THROUGH THE ROADWORK DEVELOPMENT (629) GRANT FUND RELATIVE TO IMPROVEMENTS TO US HIGHWAY 50 BETWEEN ROUNDBOTTOM ROAD AND WOLFPEN PLEASANT HILL ROAD LOCATED WITHIN MIAMI TOWNSHIP, IN CONSIDERATION OF THE INVESTMENT TO BE MADE BY PENN STATION INC. FOR THE EXPANSION AND RETENTION OF ECONOMIC DEVELOPMENT, AS WELL AS, THE CREATION OF EMPLOYMENT OPPORTUNITIES IN MIAMI TOWNSHIP, CLERMONT COUNTY, OHIO...08-0820-002...RATIFIED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Andrew T. Kuchta, Director, Office of Economic Development, with the concurrence of Scot Lahrmer, Assistant County Administrator, to authorize Edwin H. Humphrey, President of the Board of County Commissioners, to execute a Grant Agreement (ODOD Grant Control Number ECDD 09-046) and all documents relative thereto by and between the County of Clermont, Ohio, and the State of Ohio, Department of Development (ODOD), P. O. Box 1001, 77 South High Street, Columbus, Ohio 43216-1001, in the amount of \$113,000.00, in and as it relates to the Grant Application for Roadwork Development (629) Grant Funding ratified by the Board of County Commissioners on 08/27/08, relative to improvements to US Highway 50 between Roundbottom Road and Wolfpen Pleasant Hill Road, in consideration of the investment to be made by Penn Station, Inc. to retain fourteen (14) full-time employees, create six (6) new full-time positions, and invest approximately \$1,200,000.00 at a proposed location in Miami Township, Clermont County, Ohio, pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

**IN RE:        DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT...  
ACCEPTANCE OF THE CONTRACT WITH WESTSIDE PAVING AND  
EXCAVATING, INC. FOR PROJECT NUMBER 2007-05 RELATIVE TO  
THE MONROE TOWNSHIP FAIR OAK PARK IMPROVEMENTS  
PHASE 2 PROJECT, IN CONCERT WITH THE COMMUNITY  
DEVELOPMENT BLOCK GRANT FOR FISCAL YEAR 2007, AS  
COMPLETE; EXECUTION OF THE CERTIFICATES OF  
SUBSTANTIAL AND FINAL COMPLETIONS THEREFORE; AND  
APPROVAL OF THE ESTIMATE FOR PARTIAL PAYMENT NUMBER  
2, FINAL, WHICH REPRESENTS THE RELEASE OF RETAINAGE  
RELATIVE THERETO...08-0721-004...RATIFIED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Raymond Sebastian, Chief Building Official, Building Inspection Department, with the concurrence of Scot Lahrmer, Assistant County Administrator, to accept the Contract by and between the County of Clermont, Ohio, and Westside Paving and Excavating, Inc., 6949 Ripple Road, Cleves, Ohio 45002 for Project Number 2007-05 relative to the Monroe Township Fair Oak Park Improvements Phase 2 Project, in concert with the Community Development Block Grant for Fiscal Year 2007, as Complete as of 11/26/08; to execute the Certificates of Substantial and Final Completions therefore; to approve the Estimate for Partial Payment Number 2, Final, which represents the release of retainage in the principal amount of \$2,160.00, plus accrued interest earned thereon relative thereto.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes;    Mr. Humphrey, Aye;    Mr. Proud, Absent.

**IN RE:        CLERMONT COUNTY SEWER DISTRICT....GRANT OF WATER  
EASEMENT(S) WITH RIGHT(S) OF RE-ENTRY FOR REPAIR AND  
REPLACEMENT HERETOFORE GRANTED AND CONVEYED TO THE  
COUNTY OF CLERMONT, OHIO, FOR PROJECT NUMBER 621-0029  
RELATIVE TO THE STONELICK-WILLIAMS CORNER  
TRANSMISSION MAIN PROJECT LOCATED IN STONELICK  
TOWNSHIP...09-0129-002...ACCEPTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Carole S. Schulze, Program Manager, with the concurrence of Lyle G. Bloom, P. E., Sanitary Engineer, Clermont County Sewer District, to accept the following Grant(s) of Water Easement with Right(s) of Re-Entry for Repair and Replacement heretofore granted and conveyed to the County of Clermont, Ohio, for utility purposes of constructing, operating, maintaining, repairing, replacing, removing, or reinstalling water utility lines and all incidental appurtenances required for the transportation of water in, on, under, and across the properties of the Grantor for Project Number 621-0029 relative to the Stonelick-Williams Corner Transmission Main Project located in Stonelick Township, and to authorize the County Auditor to remit payment in the amount as outlined below and as indicated on the Settlement Sheet attached thereto, as compensation for the Permanent Easement(s) and Right(s)-of-Way granted thereby and to remit payment payable to J. Robert True, Clermont County Treasurer, in the amount of \$52.00 for the recording fees required relative thereto:

Grantor(s)	Parcel Number	Compensation
Miami Rifle and Pistol Club, Inc. C/O Wayne L. Jacobs Suite 2700 Carew Tower 441 Vine Street	30-29-07C-065 30-29-07G-048 30-29-07G -058	Perm    \$663.00

Cincinnati, Ohio 45202-2917		
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Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes;   Mr. Humphrey, Aye;   Mr. Proud, Absent.

**IN RE:            CLERMONT COUNTY SEWER DISTRICT. . . AMENDMENT TO THE CONTRACT WITH PLG UTILITY RESTORATION, LLC FOR CONTRACTED SERVICES FOR YARD RESTORATION TO PROPERTY NECESSITATED BY UTILIZATION OF COUNTY WATER AND/OR SEWER EASEMENTS AND RIGHTS-OF-WAYS FOR VARIOUS WATER AND SEWER PROJECTS LOCATED WITHIN CLERMONT COUNTY...08-0118-003...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Carole S. Schulze, Program Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to execute an Amendment to the Contract with PLG Utility Restoration, LLC, P. O. Box 470, Goshen, Ohio 45122, previously ratified by the Board of County Commissioners on 4/16/08, for contracted services for yard restoration to property necessitated by utilization of County water and/or sewer easements and rights-of-way for various water and sewer projects located within Clermont County, which represents an extension of the Contract for an additional one (1) year period through 04/15/2010, pursuant to Article Ten (10) of said Contract, with all other terms and conditions to remain in full force and effect.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes;   Mr. Humphrey, Aye;   Mr. Proud, Absent.

**IN RE:            COUNTY SHERIFF...CONTRACT FOR LAW ENFORCEMENT SERVICES WITH THE COUNCIL OF THE VILLAGE OF MOSCOW FOR SAME...09-0129-003...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Albert J. Rodenberg, Jr., County Sheriff, with the concurrence of David L. Spinney, County Administrator, to execute a Contract for Law Enforcement Services by and between the Board of Clermont County Commissioners, the County Sheriff, and the Council of the Village of Moscow, 79 Elizabeth Street, Post Office Box 93, Moscow, Ohio 45153 for the provision of one (1) contract deputy for the Village of Moscow at the annual amounts of \$37,164.35 for the first year, \$38,697.89 for the second year and \$40,288.00 for the third year, one (1) vehicle for an annual amount of \$6,516.66, plus fifty percent (50%) of the fuel costs relative thereto, and uniform/equipment replacement and dry cleaning for an annual amount of \$387.50, effective for a period of three (3) years commencing 01/01/09, pursuant to the terms and conditions set forth therein and in compliance with Section 311.29 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes;   Mr. Humphrey, Aye;   Mr. Proud, Absent.

**IN RE:            COUNTY ENGINEER...RECORD PLAT NUMBERS 629-2614 AND 629-2615 FOR THE REPLAT OF LOTS WITHIN UNION OR BATAVIA**

**TOWNSHIPS...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Record Plat Numbers **629-2614 and 629-2615** for the Replat of Lots in the following subdivisions within Union or Batavia Townships:

Subdivision	Record Plat Number	Reason for Replat
Mt. Forest Subdivision Replat of Lot Number 21 Mt. Forest Subdivision No. 2 Replat of Lot Number 22 Union Township DC#09-0129-005	629-2614	To create new Lot Numbers 66 and 67
Replat of Lot Number 17 MacFarland Subdivision Batavia Township DC#09-0202-001	629-2615	To create new Lot Numbers 20 & 21

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes;   Mr. Humphrey, Aye;   Mr. Proud, Absent.

**IN RE:        COUNTY ENGINEER...CHANGE ORDER NUMBER 2 TO THE CONTRACT WITH OKIND, INC., DBA SILVERHAWKE CONSTRUCTION, FOR PROJECT NUMBER BA-17-05 RELATIVE TO THE OLD SR 32 AT BAUER ROAD ROADWAY IMPROVEMENTS PROJECT LOCATED IN BATAVIA TOWNSHIP...08-0522-006...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Change Order Number 2 to the Contract with Okind, Inc., dba Silverhawke Construction, 8657 N. Gilmore Road, Fairfield, Ohio 45014, previously ratified by the Board of County Commissioners on 08/06/08 and subsequently amended on 11/10/08, for Project Number BA-17-05 relative to the Old SR 32 at Bauer Road Roadway Improvements Project located in Batavia Township, which represents a decrease in the amount of \$22,239.50, for a total adjusted contract price to date of \$611,496.59 for additions, deletions and/or modifications thereto as defined therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes;   Mr. Humphrey, Aye;   Mr. Proud, Absent.

**IN RE:        HUMAN RESOURCES DEPARTMENT...EXECUTION OF A TUITION ASSISTANCE APPLICATION FROM A CLERMONT COUNTY EMPLOYEE...09-0129-004...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Robert Sander, Director, Human Resources Department, with the concurrence of David L. Spinney, County Administrator, to execute a Tuition Assistance Application submitted by the following employee for participation in the Clermont County

Tuition Assistance Program, pursuant to Section 4.12 of the Clermont County Personnel Policy and Procedures Manual:

Department/Employee	Class Name
Clermont County Sewer District Christopher O’Brien	Programmable Logic Controllers

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes;   Mr. Humphrey, Aye;   Mr. Proud, Absent.

**LET THE RECORD SHOW:** That a motion by Mr. Croswell, seconded by Mr. Humphrey, to approve the minutes of Work Session of **01/12/09** carried with all members present voting affirmatively thereon.

**LET THE RECORD SHOW:** THAT THE PRESIDENT OF THE BOARD OF COUNTY COMMISSIONERS RECESSED REGULAR SESSION AT 1:15 P.M. TO BE RECONVENED AT 3:30 P.M. THIS DATE.

**LET THE RECORD SHOW:** THE BOARD RECONVENED REGULAR SESSION AT 3:38 P.M.

**IN RE:            OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY...  
EXECUTION OF AGREEMENTS FOR THE CLERMONT COUNTY  
COMMUNICATIONS CENTER BUILDING EXPANSION AND  
REMODEL PROJECT...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, with the concurrence of David L. Spinney, County Administrator, to execute the Agreements by and between the County of Clermont, Ohio, and the following companies for the Clermont County Communications Center Building Expansion and Remodel Project in the amounts outlined below, for a total amount not to exceed \$1,564,991.00, pursuant to and in compliance with the terms and conditions set forth therein and the award of bids therefore on 01/30/09:

Contract	Contractor	Contract Amount
<b>General Trades Contract</b> DC# 08-1029-001	Valor Construction Co., Inc. 1128 Ohio Pike Amelia, Ohio 45102-9306	\$ 962,000.00
<b>H.V.A.C. Contract</b> DC# 09-0202-002	Peck Hannaford & Briggs 4670 Chester Avenue Cincinnati, Ohio 45232	\$ 208,000.00
<b>Plumbing Contract</b> DC# 09-0202-003	Century Construction, Inc. 34 Kenton Lands Road Post Office Box 18670 Erlanger, Kentucky 41018	\$ 66,500.00
<b>Fire Protection Contract</b> DC# 09-0202-004	Cincinnati Dayton Fire Protection, Inc. 7225 Edington Drive Cincinnati, Ohio 45249	\$ 47,000.00
<b>Electrical Contract</b> DC# 09-0202-005	Seco Electric Company Inc. 350 West Pike Street Covington, Kentucky 41011	\$ 216,900.00
<b>Communications Technology &amp; Security Contract</b> DC# 09-0202-006	Industrial Communication & Sound, Inc. 7749 Reinhold Drive Cincinnati, Ohio 45237	\$ 64,591.00

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

**LET THE RECORD SHOW:** That a motion by Mr. Croswell, seconded by Mr. Humphrey, to approve the minutes of Regular Session of **02/11/09** carried with all members present voting affirmatively thereon.

**LET THE RECORD SHOW:** That the President of the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 3:41 P.M.

**BOARD OF COUNTY COMMISSIONERS  
CLERMONT COUNTY, OHIO**

**EDWIN H. HUMPHREY, PRESIDENT  
ROBERT L. PROUD, VICE PRESIDENT  
R. SCOTT CROSWELL III, MEMBER**

**JUDITH KOCICA, CLERK OF THE BOARD**

**DATE APPROVED – 02/11/09**